

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 3
FOR THE REGULAR MEETING OF
TUESDAY, MARCH 30, 2004 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARING:

ITEM-S503: Rhodes Crossing.

Matter of approving, conditionally approving, modifying or denying Vesting Tentative Map for the subdivision of 147.4 acres for 741 dwelling units, 531,055 square-feet of commercial and self-storage facilities and a gasoline service station through the accompanying Planned, Site and Conditional Use Permits. Street Vacations and Easement Abandonment's are required as are Amendments to the Rancho Peñasquitos and Torrey Highlands adopted plans and a rezone of the existing AR-1-1 and RS-1-14 (proposed RS-1-14, RM-3-9, CR-2-1 and CC-1-3) zones as required to accommodate the proposed project. The project site is generally located in, and adjacent to, the triangular area of Camino del Sur, Carmel Mountain Road and State Route 56.

(See City Manager Report CMR-04-065. EIR No. 3230/MMRP/Vesting Tentative Map/Planned Development Permits/Site Development Permit/Conditional Use Permit/Street Vacations and Easement Abandonments/Community Plan Amendments. Rancho Peñasquitos and Torrey Highlands Community Plan Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolutions in subitems A, B, C, F, and G; adopt the resolution in subitem D to grant or deny the permits; and introduce the ordinance in subitem E:

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-S503: (Continued)

Subitem-A: (R-2004-921)

Adoption of a Resolution certifying that Environmental Impact Report LDR No. 3230, on file in the Office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the report reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of a rezone, planned development permit, site development permit, conditional use permit, and vesting tentative map, street and easement vacations for the Rhodes Crossing project;

That pursuant to California Public Resources Code section 21081 and California Code of Regulations section 15091, the City Council adopts the findings made with respect to the project, a copy of which is on file in the office of the City Clerk and incorporated herein by reference;

That pursuant to California Code of Regulations section 15093, the City Council adopts the Statement of Overriding Considerations, a copy of which is on file in the office of the City Clerk and incorporated herein by reference, with respect to the project;

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effect on the environment.

Subitem-B: (R-2004-922)

Adoption of a Resolution granting Rhodes Crossing Vesting Tentative Map No. 7938;

That pursuant to California Government Code section 66434(g), a Portion of Carmel Mountain Road located within the project boundaries as shown in Vesting Tentative Map No. 7938, shall be vacated, contingent upon the recordation of the approved final map for the project;

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-S503: (Continued)

Subitem-B: (Continued)

That pursuant to California Government Code section 66434(g), the following public service easements, located within the project boundaries as shown in Tentative Map No. 98-0559, shall be vacated, contingent upon the recordation of the approved final map for the project;

That the recommendation of the Planning Commission is overruled and Rhodes Crossing Vesting Tentative Map No. 7938 is approved to Keith B. Rhodes Trustee for Keith B. Rhodes Living Trust and John W. Grus Living Trust, and Fieldstone Communities, subject to the conditions.

Subitem-C: (R-2004-1004)

Adoption of a Resolution granting portions of Carmel Mountain Road and Via Panacea in connection with Tentative Map No. 7938, as more particularly described in the legal description marked as Exhibit "A," as shown on Drawing No. 20043-B, marked as Exhibit "B," and on file in the office of the City Clerk;

That the street vacations are conditioned upon the construction of the realigned Carmel Mountain Road and Via Panacea as shown on Vesting Tentative Map No. 7938, satisfactorily to the City Engineer;

That the City Engineer shall advise the City Clerk of the completion of the aforementioned condition, and the City Clerk shall then cause a certified copy of this resolution, with attached exhibits, attested by him under seal, to be recorded in the office of the County Recorder.

Subitem-D: (R-2004-)

Adoption of a Resolution granting or denying Planned Development Permit No. 53203, Site Development Permit No. 53204 and Conditional Use Permit No. 53205, with appropriate findings to support Council action.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-S503: (Continued)

Subitem-E: (O-2004-108)

Introduction of an Ordinance changing 147.39 acres, located within the Rancho Peñasquitos Community Plan Area and the Torrey Highlands Subarea Plan, in the City of San Diego, California, from the AR-1-1 and RS-1-14 Zones (Previously Referred to as the A1-10 and R1-5000 Zones) into the RS-1-14, RM-3-9, CR-2-1 and CC-1-3 Zones (previously referred to as the R1-5000, R-600, and CA Zones), as defined by San Diego Municipal Code Sections 131.0403, 131.0406, 131.0503 and 131.0507, and repealing Ordinance No. O-8858 (New Series), adopted July 18, 1963, and Ordinance No. O-15906 (New Series), adopted February 22, 1983, of the ordinances of the City of San Diego insofar as the same conflict herewith.

Subitem-F: (R-2004-923)

Adoption of a Resolution granting amendments to the Torrey Highlands Community Plan.

That the council adopts the amendment to the Progress Guide and General Plan for the City of San Diego to incorporate the above amended plan.

Subitem-G: (R-2004-924)

Adoption of a Resolution granting amendments to the Rancho Peñasquitos Community Plan.

That the council adopts the amendment to the Progress Guide and General Plan for the City of San Diego to incorporate the above amended plan.

OTHER RECOMMENDATIONS:

Planning Commission on February 5, 2004, voted 6-0 to recommend denial; (expressions of areas of concern and explanation of 'denial' will be presented in a City Manager's Report) was opposition.

Yeas: Garcia, Brown, Chase, Lettieri, Ontai, Steele
Recusing: Schultz

The Rancho Peñasquitos Community Committee has recommended approval of this project.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-S503: (Continued)

CITY MANAGER SUPPORTING INFORMATION:

The Rhodes Crossing project consists of an area of 147.39 acres located within the plan boundaries of the Rancho Peñasquitos Community Plan and the Torrey Highlands Subarea Plan area. This project is one of three remaining projects within Torrey Highlands awaiting final approval from the City Council and is one of the last areas within Rancho Peñasquitos to be developed. The project area is currently zoned AR-1-1 and RS-1-14 and is proposed to be rezoned to the RS-1-14, RM-3-9, CR-2-1 and CC-1-3 to accommodate the proposed commercial, residential, storage, private park and open space development. The recently opened segment of State Route 56 between Carmel Mountain Road and Camino Del Sur generally comprises the northern limit of the proposed project although some single-family residential lots lie north of SR 56 on the west and east sides of Carmel Mountain Road. The highest intensity of development is proposed in the triangular area of SR 56, Camino del Sur and Carmel Mountain Road where a 273,855 square-foot self-storage facility, 250,000 square-feet of commercial use with five major tenant structures, and multi-family residential dwelling units are all proposed. Carmel Mountain Road is being realigned northwesterly south of SR 56 to avoid impacts to a major area of vernal pools. Multi-family residential, some single-family residential, and a small gasoline service station commercial area is proposed on the south side of Carmel Mountain Road between SR 56 and Camino del Sur. Multi-family and single-family residential, a private park and additional vernal pool preservation areas are located west of Camino del Sur north of the Park Village neighborhood.

Existing development is primarily established within the Rancho Peñasquitos community and is residential in character while development within the Torrey Highlands community is relatively recently approved and developing with residential north of the freeway along Camino del Sur and residential and industrial to the west on the south side of the freeway. Landforms consist of flatter mesa tops and sloping hillsides into canyons that enlarge as they progress south and west. A large population of vernal pools and their watershed exist within these flatter mesa areas and the development is protecting them to the extent possible. A number of prior actions have impacted the Rhodes Crossing project areas including City Council approved actions establishing the alignment and development of State Route 56 and Camino del Sur. Realignment of Carmel Mountain Road is necessary to preserve a large population of vernal pools and approved or existing development on adjacent sites have created approved grades and drainage patterns.

Additionally, the development of Torrey Highlands was approved on the ballot by the voters for its phase shift from the Future Urbanizing Area to its designated maximum residential intensity.

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-S503: (Continued)

FISCAL IMPACT:

All costs associated with the processing of this project are paid for by the applicant through a deposit account.

Ewell/Christiansen/RMK

LEGAL DESCRIPTION:

The proposed projects include portions of State Route (SR) 56, Carmel Mountain Road and Camino del Sur. The proposed project straddles the jurisdictional boundaries between the Rancho Peñasquitos Community Planning Area and Torrey Highlands Subarea Plan Area.